

Remarks/Arguments

Claims 1-20 are pending after entry of the present Amendment. Amendment was made to claim 8 to further clarify the invention. The amendment does not introduce new matter.

Rejections under 35 U.S.C. section 103:

Claims 1-20 are rejected under U.S.C. 103(a), as being unpatentable over U.S. Patent No. 5,896,131 to Alexander further in view of the U.S. Patent No. 5,745,103 to Smith. The applicants respectfully traverse these rejections.

The Office has claimed that Alexander teaches a method wherein only a reserved color associated with a reserved color value is used to draw a dialog box boundary wherein the reserved color is a color reserved by an operating system for use by the operating system. The Office has cited sections of Alexander (*column 4 lines 4—7, lines 37-40 and lines 45-48*) to support this claim. The Applicants would like to defer this claim. Nowhere in the cited sections does Alexander suggest or teach drawing a boundary surrounding the dialog box using only a reserved color. Sections 4—7 teaches using a programmed dark gray (reserved) color to differentiate a pixel area that is used to switch control for multiplexer and does not suggest drawing a boundary surrounding the dialog box using a permanently reserved color to maintain visual differentiation between the dialog box background and the frame background . Section 37-40 teaches a translucent dialog box wherein the frame 302 (background of the dialog box 300 – See Figure 3A), information areas 304 and controls 306 within the dialog box are opaque and are written in a color other than the programmed color. Once again, the cited section does not suggest or teach drawing a boundary surrounding the dialog box using a permanently

reserved (programmed) color. Section 45-48 of Alexander teaches writing remaining pixels within the dialog box (that are not written in programmed color) in a color other than the programmed color. Even assuming that a light gray, for example, is a reserved color, the cited section does not suggest or teach drawing the boundary surrounding the dialog box with the reserved color. In fact, nowhere in Alexander is there a suggestion or teaching for drawing boundary surrounding the dialog box using a reserved color. The checkerboard pattern of Alexander using programmed and non-programmed colors allow the VRAM 108 to control the alternate pixels for providing partial visibility of waveform 206 within the dialog box and does not suggest drawing a boundary surrounding the dialog box. (See column 4, lines 45-51). In contrast, claims 1, 8 and 15 clearly suggest that the dialog box boundary surrounding the dialog box is drawn using only a reserved color. Again, the Office has failed to point out this feature (surrounding the dialog box using only a reserved color) in the cited art. Applicants respectfully submit that the Examiner has failed to examine each and every feature of the independent claims.


In order to establish a *prima facie* case of obviousness, there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Additionally, the combined references must teach or suggest all the claim limitations. There is no motivation to combine the teaching of Smith, where a single optimal color palette is created and used for display of objects, with the teachings of Alexander. Alexander cannot be modified to include a single optimal color palette of Smith, as providing a single optimal color palette will be useless in carrying out the invention of Alexander. The DRAM and VRAM need a color palette in the respective memory to detect the programmed color and to display the appropriate data in the dialog box. (See Figure 1 of Alexander). Therefore, the single color palette of Smith is not applicable to Alexander. Moreover, even if there was motivation to combine the

references, the resulting combination does not teach each and every claim limitation. That is, the combined teachings of Smith and Alexander still does not suggest or teach drawing a boundary surrounding the dialog box with a reserved color as described in the claimed invention.

Accordingly, independent claims 1, 8, and 15, and the respective dependent claims are respectfully submitted to be patentable under 35 U.S.C. section 103(a) over any combination of the cited prior art.

The Applicants respectfully submit that all of the pending claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 774-6905. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP009). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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